

# EXHIBIT 3

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**From:** Kobialka, Lisa (Perkins Coie)  
**Sent:** Friday, August 31, 2007 2:37 PM  
**To:** 'Corgill, Dennis S.'; 'ifeinberg@mayerbrownrowe.com'  
**Cc:** Bandyopadhyay, Esha (Perkins Coie)  
**Subject:** RE: Robertson Declaration in FreecycleSunnyvale v. The Freecycle Network

Dennis and Ian,

Per my discussion with Dennis just now, I understand that Ian is out of the office. As I informed Dennis, we dispute what was set forth in the letter and the parties do not agree on this issue. We will proceed with filing our motion to strike and seek to have leave to have it heard at the same time as the SJ hearing.

That being said, however, we proposed to Dennis in an effort to resolve this dispute was to permit us to take the deposition of Robertson before we have to file our opposition brief. We just learned today that you are not representing Mr. Robertson, so we would need to subpoena him. Dennis indicated that he does not have authority to make this agreement, so we agreed that I would email you directly.

If you are amenable to this resolution, please let me know and we can address how to appropriately go about addressing this appropriately.

Lisa Kobialka  
Perkins Coie LLP  
101 Jefferson Drive  
Menlo Park, CA 94025  
Ph: (650) 838-4447  
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**From:** Corgill, Dennis S. [mailto:[DCorgill@mayerbrownrowe.com](mailto:DCorgill@mayerbrownrowe.com)]  
**Sent:** Friday, August 31, 2007 1:46 PM  
**To:** Kobialka, Lisa (Perkins Coie)  
**Subject:** Robertson Declaration in FreecycleSunnyvale v. The Freecycle Network

<<Scan001.PDF>>

Lisa,

Please review the attached letter. If you have any difficulty in opening the attachment, please let me know.

Also, please call if you have any questions. Please note that I will be out of the office starting at 4:00 p.m. today, returning on Tuesday.

I hope that you have an enjoyable weekend.

Cheers,  
Dennis

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